

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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1199SEIU, UNITED HEALTHCARE
WORKERS EAST,

Plaintiff,

-against-

RITE AID CORPORATION and
THE JEAN COUTU GROUP (PJC), INC.,
THE JEAN COUTU GROUP USA, INC.,
d/b/a BROOKS ECKERD DRUG STORES

Defendants.
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JUDGE DANIELS

07 CV 4816

07 Civ. _____

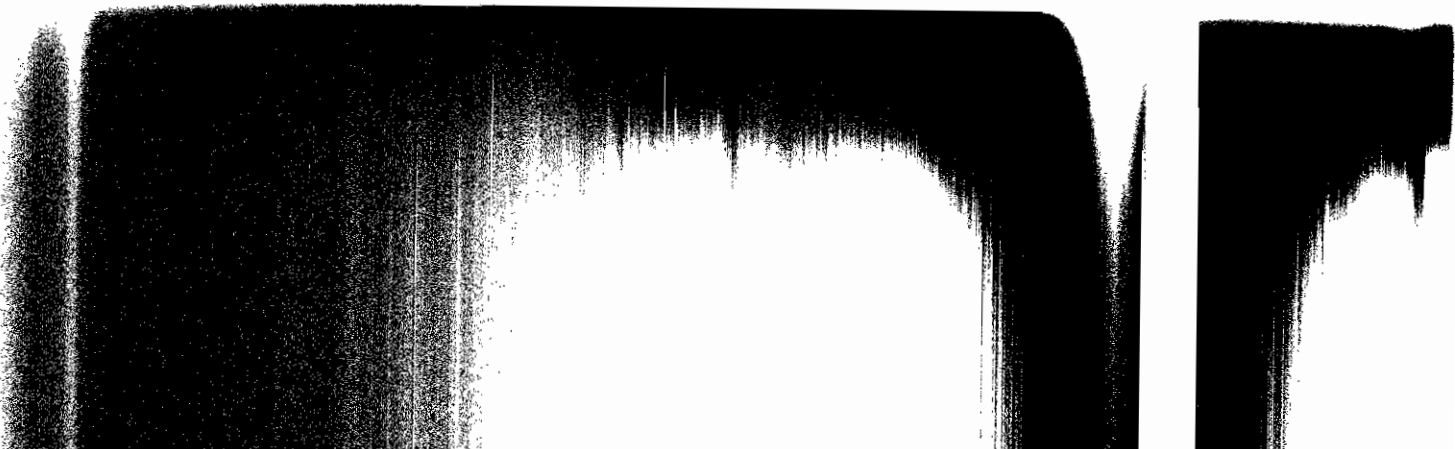
ORDER TO SHOW CAUSE FOR
A PRELIMINARY INJUNCTION

USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: _____ DATE FILED: JUN 17 2007

Upon the Complaint Verified on June 6, 2007, the Affidavit of Laurie Vallone sworn to on June 6, 2007 and the exhibits annexed thereto, and the accompanying Memorandum of Law, it is hereby

ORDERED that Rite Aid Corporation ("Rite Aid"), The Jean Coutu Group (PJC), Inc. ("Coutu Inc."), and The Jean Coutu Group USA, Inc., d/b/a Brooks Eckerd Drug Stores ("Coutu USA") (collectively referred to as "Defendants") appear before this Court on the 19th day of June 2008 at the United States District Court, 500 Pearl Street, New York, New York in Courtroom No. 15D at 10:00 o'clock or as soon thereafter as counsel can be heard, to show cause why a preliminary injunction, pendente lite, preserving the status quo during the pendency of the underlying arbitration between the parties, should not be issued pursuant to Rule 65 of the Federal Rules of Civil Procedure, enjoining said Defendants, their agents, servants and employees, and all persons acting in concert with them, from (1) continuing a union avoidance campaign directed towards employees at Eckerd stores within the

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geographical area set forth in Article 1 of the collective bargaining agreement between Plaintiff and Defendant Rite Aid and (2) engaging in any other such conduct which would frustrate the Union's ability to enforce the terms of its collective bargaining agreement with Defendant Rite Aid, including Article 1 of that agreement, as to any and all Eckerd stores that will be acquired by Rite Aid pursuant to the merger agreement between Rite Aid and Defendant Coutu, Inc. currently pending before the Federal Trade Commission; and it is, further

ORDERED that personal service or service by Overnight Mail of this order and the papers on which it was granted be made upon the Defendant Rite Aid at its offices located at 30 Hunter Lane, Camp Hill Pennsylvania 17011 on or before 3 p.m. on June 8, 2007, shall be deemed good and sufficient service of this order; and it is further

ORDERED that service of this order and the papers on which it was granted be made upon the Defendants Coutu Inc. by personal service upon the New York State Secretary of State and by delivery by Registered Mail, return receipt requested, to Ministre de la Justice due Quebec on or before 3 p.m. on June 8 2007, shall be deemed good and sufficient service of this order; and it is further

ORDERED that service of this order and the papers on which it was granted be made upon the Defendant Coutu USA by personal service upon the New York State Secretary of State and by delivery by Registered Mail, return receipt requested, to the offices of Coutu USA located at 50 Service Avenue, Warwick, Rhode Island, 02996-1021 on or before 3 p.m. on June 8, 2007, shall be deemed good and sufficient service of this order; and it is further

ORDERED that any papers submitted by the Defendants in opposition to this Order to Show Cause shall be served by delivering copies of the same to counsel for the Plaintiff and this Court on or before 5:00 p.m. on the 14th day of June 2007 and any papers submitted by the

Plaintiff in Reply to Defendants' opposition shall be served by delivering copies of the same to

✓ counsel for Defendants and this Court on or before 5:00 p.m. on the 18th day of June, 2007.

✓ Issued on this 6th day of June, 2007

SO ORDERED:

George B. Donohue
United States District Judge

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